

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

\_\_\_\_\_  
**Anderson Alphonse**

\_\_\_\_\_  
*Petitioner,*

v.

**Antone Moniz**

Superintendent

Plymouth County Correctional Facility

*Defendant-Respondent.*

Civ. Action No. 21-cv-11844-FDS

**JOINT MOTION FOR EXPEDITED BRIEFING**

Petitioner Anderson Alphonse and Respondent Antone Moniz jointly move this Court to order expedited briefing on remand. On January 31, 2022, this Court applied the five-factor *Reid v. Donelan* test and decided that his detention was not unreasonably prolonged. ECF 20 at 15–20. This Court noted, however, that its “decision is of course subject to reconsideration should circumstances materially change.” ECF 20 at 22. Mr. Alphonse appealed this Court’s decision to the First Circuit Court of Appeals.

In his removal proceedings, on August 8, 2022, the Board of Immigration Appeals (“BIA”) decided his appeal—about a year after briefing had completed—and remanded his case to the immigration judge (“IJ”) to reconsider his Convention Against Torture claim. In light of this development, the parties jointly filed a motion with the First Circuit to remand the case to this Court in order to consider these new facts in the first instance. The parties noted their intent “to quickly submit limited supplemental briefing to aid the district court in reaching a new

decision as soon as possible.” The First Circuit granted this motion on September 1, 2022, remanding this case to this Court “for proceedings consistent with the parties’ Joint Motion.” ECF 30.

Mr. Alphonse has been detained pursuant to 8 U.S.C. § 1226(c) without a bond hearing since November 30, 2022. In order to resolve the matter of whether his detention is unreasonably prolonged as quickly as possible, the parties jointly request that this Court order expedited briefing.

Respectfully submitted this 6th day of September, 2022,

*Pro Bono Counsel for the Petitioner,*

/s/ Mary Holper

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*Counsel for Respondent*

**CERTIFICATE OF SERVICE**

I hereby certify that this document has been filed through the ECF system and will be served on all registered parties.

Dated: September 6, 2022

/s/ Mary Holper  
Mary Holper